

FILED: May 4, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1078 (L)  
(2:21-cv-00316)

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B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellants

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY  
BOARD OF EDUCATION; WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES  
COMMISSION; W. CLAYTON BURCH, in his official capacity as State  
Superintendent; DORA STUTLER, in her official capacity as Harrison County  
Superintendent

Defendants - Appellees

and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors - Appellees

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TREVOR PROJECT; TRANSGENDER WOMEN ATHLETES; UNITED STATES OF  
AMERICA; NATIONAL WOMEN'S LAW CENTER AND 51 ADDITIONAL  
ORGANIZATIONS; STATE OF NEW YORK; AMERICAN ACADEMY OF  
PEDIATRICS; AMERICAN MEDICAL ASSOCIATION; FOUR ADDITIONAL  
HEALTH CARE ORGANIZATIONS; ATHLETE ALLY; CURRENT AND FORMER  
PROFESSIONAL, OLYMPIC AND INTERNATIONAL ATHLETES IN WOMENS  
SPORTS; NATIONAL WOMEN'S SOCCER LEAGUE PLAYERS ASSOCIATION;  
WOMEN'S SPORTS FOUNDATION; DISTRICT OF COLUMBIA; STATE OF  
HAWAII; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF  
CONNECTICUT; STATE OF DELAWARE; STATE OF ILLINOIS; STATE OF  
MAINE; STATE OF MARYLAND; STATE OF MASSACHUSETTS; STATE OF

MICHIGAN; STATE OF MINNESOTA; STATE OF NEW JERSEY; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON

Amici Supporting Appellants

and

THOMAS MORE SOCIETY; NATIONAL ASSOCIATION OF EVANGELICALS; CONCERNED WOMEN FOR AMERICA; INSTITUTE FOR FAITH AND FAMILY; SAMARITAN'S PURSE; WOMEN'S DECLARATION INTERNATIONAL USA; 25 ATHLETIC OFFICIALS AND COACHES OF FEMALE ATHLETES; FEMALE OLYMPIC ROWERS MARY I. O'CONNOR, CAROL BROWN, PATRICIA SPRATLEN ETEM, VALERIE MCCLAIN, AND JAN PALCHIKOFF; 22 BUSINESS EXECUTIVES; INTERNATIONAL CONSORTIUM ON FEMALE SPORT; INDEPENDENT COUNCIL ON WOMEN'S SPORT; DEFENSE OF FREEDOM INSTITUTE; 78 FEMALE ATHLETES, COACHES, SPORTS OFFICIALS, AND PARENTS OF FEMALE ATHLETES; PUBLIC ADVOCATE OF THE UNITED STATES; AMERICA'S FUTURE; U.S. CONSTITUTIONAL RIGHTS LEGAL DEFENSE FUND; ONE NATION UNDER GOD FOUNDATION; FITZGERALD GRIFFIN FOUNDATION; CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND; INDEPENDENT WOMEN'S LAW CENTER; PARENTS DEFENDING EDUCATION; ALABAMA, ARKANSAS, AND 15 OTHER STATES

Amici Supporting Appellees

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O R D E R

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Alabama, Arkansas, and 15 Other States have filed an amicus curiae brief.

The court accepts the brief for filing.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk